



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 10**

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OFFICE OF  
ECOSYSTEMS, TRIBAL AND  
PUBLIC AFFAIRS

June 27, 2011

Kristy Swartz, Project Leader  
3160 NE 3<sup>rd</sup> Street  
Prineville, Oregon 97754

Re: U.S. Environmental Protection Agency (EPA) Comments for the Ochoco National Forest (Forest), Lookout Mountain Ranger District; Howard Elliot Johnson Fuels and Vegetation Management Project (Project) Final Environmental Impact Statement (FEIS) (EPA Project Number: 11-008-AFS).

Dear Ms. Swartz:

This review was conducted in accordance with our responsibilities under the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act. Section 309 specifically directs the EPA to review and comment in writing on the environmental impacts associated with all major federal actions.

In our comments on the DEIS, we indicated support for the proposal's purposes, agreed that proposed treatments appear consistent with achieving those purposes, and, noted several important environmentally protective elements. While noting overall support for several aspects of the proposal, we also stated our concern that the DEIS does not contain sufficient information for EPA to fully assess long-term productivity benefits such as the degree of movement toward sustainable vegetative conditions. Our interest in medium and long-term benefits is grounded in our belief that full protection of the environment can only occur when these benefits outweigh short-term adverse impacts.

To address our overall interest in improving the EIS's comparison of short term impacts and medium/long-term benefits our DEIS comments detailed concerns and recommendations on the following topic areas.

- Hydrology and Aquatic Species
- Forested Vegetation
- Fire and Fuel
- Range – Project Design Elements
- Non-native Invasive Plants
- Climate Change
- Decision Framework
- Coordination with Tribal Governments

Below, we describe our perspective on the Forest's responsiveness to our DEIS comments and make several suggestions for the implementation phase of this project and for your information.

### **Hydrology and Aquatic Species**

EPA supports management within Riparian Habitat Conservation Areas (RHCAs) where such actions are designed to protect or restore water quality and aquatic and riparian habitat. To more fully disclose how this project's proposed RHCA management would impact the shade aspect of water quality and aquatic and riparian habitat protection and restoration we recommended that the FEIS include additional information regarding hardwood restoration's long-term shade impacts. Hardwood restoration's long-term impacts on shade was a focus because the DEIS adequately analyzes other impacts from RHCA management and because we believe RHCA management should maintain or improve the achievement of site potential shade. The FEIS did not include additional information on the long-term shade impacts from hardwood restoration. We recommend that the Forest strive to include evidence or support for proposed RHCA management's beneficial impact on long-term shade in future NEPA analyses. Contact the author of this letter if you have questions or concerns related to EPA's perspective on management in RHCAs and the achievement of site potential shade.

### **Forested Vegetation**

Additional information in the FEIS is fully responsive to all three of our Forested Vegetation recommendations. For example, the FEIS's summary of the Ochoco National Forest's Viable Ecosystem Management Guide's key data sources fully responds to our recommendation that the FEIS describe how historic conditions were calculated for the project area.

### **Fire and Fuels**

The FEIS is responsive to all seven of our Fire and Fuels recommendations. Two of those seven recommendations related to additional information on project effects (i.e., reductions in stands "at risk of loss" and reductions in stands outside of HRV) over the medium and long-term. Your assessments that, "Few long-term studies document the effect of fuels treatments over time (Carey and Schumann, 2003).", and, "Longevity of fuels treatments is lacking in credible studies" usefully characterize the state of science with regard to predicting medium and long-term fuels treatment benefits. Your estimate based on local experience that the efficacy of fuel treatments in reducing fire intensity would range from 10-20 years is an appropriate use of professional judgment in the absence of established literature. We expect that this information would lead to conservative estimates of medium and long-term fuels treatment benefits.

### **Range – Project Design Elements**

The FEIS is responsive to our two Range – Project Design Elements recommendations. We appreciate, for example, the additional information on range readiness criteria (FEIS, p. 229).

### **Non-native Invasive Plants**

With regard to Non-native Invasive Plants, we recommended that the FEIS disclose the proposal's risk factors for the introduction and spread of noxious weeds. The FEIS does not list these risk factors.

We also recommended that the Forest explicitly link "Noxious weeds" project design elements to identified high risk factors. FEIS Table 111, Non-native Invasive Plant Design Elements and Risk Factors are responsive to our recommendation. Table 111, however, only links four of the six high risk factors to design elements. We remain unsure what the other two high risk factors for the introduction and spread of noxious weeds are, and we remain unsure whether project design elements mitigate those high risk factors.

**Climate Change**

EPA recommended that the FEIS include additional information on the effects of climate change on the ability to achieve the proposal's purposes. We are especially interested in the effects of climate change on the proposal purpose to "enhance hardwood communities". We continue to believe that the EISs' determination that, "All actions are consistent with recommendations for management response in the face of potential influences of climate change on invasive plants." is a useful analytical strategy and recommend the Forest follow this model for other resources as well in future NEPA analyses.

**Decision Framework**

The FEIS is fully responsive to our recommendation that "Key Issues" be addressed as Decision Framework questions.

**Coordination with Tribal Governments**

We appreciate your disclosure that the Forest did not receive a response from the tribes. Tribal consultation is especially important for projects that could impact treaty rights. Impacts to access to traditional use areas and impacts to traditional use areas and values themselves should be disclosed in NEPA analyses.

Thank you for this opportunity to comment and if you have any questions or concerns please contact me at (206) 553-1601, or by electronic mail at [reichgott.christine@epa.gov](mailto:reichgott.christine@epa.gov), or you may contact Erik Peterson of my staff at (206) 553-6382, or by electronic mail at [peterson.erik@epa.gov](mailto:peterson.erik@epa.gov).

Sincerely,



Christine B. Reichgott, Manager  
Environmental Review and Sediment Management Unit